

Appl. No. : 10/019,754
Filed : April 30, 2002

REMARKS

I. Disposition of Claims

Claims 20-33 are currently pending. Claims 3, 6-9, 11-19 have been canceled, Claims 20-25 have been amended, and new Claims 26-33 are submitted with this Amendment. Support for the new claims can be found throughout the specification, for example in the original claims. No new matter has been added.

II. Clarification

Applicant would like to clarify for the record that the present invention is not limited to a two layer structure. While some preferred embodiments have two layers, it is clearly stated in the specification (page 8, line 20- page 9, line 4) that the artificial dura mater of the invention may also be formed into either one united body or a multilayer structure. To the extent that arguments in the previous amendments submitted by Applicant stated or implied that the invention was limited to a two-layer structure, those arguments are hereby withdrawn.

III. Double Patenting

Claims 3, 6-9, and 11-19 were rejected by the Office under the judicially-created doctrine of obviousness-type double patenting in view of the Claims 1-14, 16, and 17 of U.S. Patent No. 6,514,291. These rejected claims have been canceled in favor of pursuing the method claims which were not rejected under this doctrine.

IV. Compliance with 35 U.S.C.112

The Office rejected Claims 22 and 24 under 35 U.S.C. 112, second paragraph, as being indefinite. The Office asserted that the term "melting" was incorrect and that "dissolve" would be more appropriate. The Claims have been amended to comply.

V. Novelty and Nonobviousness

The Office rejected Claims 3, 6-9, 11-16, and 20 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under U.S.C. 103(a) as obvious over Taira et al (US 5,861,034).

Appl. No. : 10/019,754
Filed : April 30, 2002

Additionally, Claims 3, 6-9, 11-16 and 20 are rejected under 35 U.S.C. 103(a) as obvious over Taira et al (US 5,861,034) in view of Williams et al (US 6,548,569).

In order to anticipate a claim, a reference must teach every element of the claim. Claims 1-19 are now canceled. Claims 20-25 have been amended to be independent and to contain unique combinations of properties of the polymer and the structural reinforcement not taught or suggested in the cited references.


Conclusion

In view of Applicants' amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8/24/2005

By: 
Eric Ives
Registration No. 50,928
Agent of Record
Customer No. 20,995
(805) 547-5580

AMEND

1883807
082205